

## Op-ed: The death penalty should be reformed, not repealed

BY ROBERT A. LOVINGOOD

In November, California voters will face two rival ballot propositions: Prop 62 to abolish the death penalty and Prop 66 to speed up implementation of the death penalty by reforming the appeals process for the worst of the worst of convicted murderers.

It has been 10 years since California's last execution because of our broken appeals process, which now can take as long as 25 years. Some of those who worked to make death penalty appeals so long and costly now want to abolish the death penalty precisely because the appeals are so long and costly.

So please join me, San Bernardino County Sheriff John McMahon, District Attorney Mike Ramos, law enforcement officers and victims' rights groups around the State by opposing Prop 62 and supporting Prop 66.

Murder is the ultimate crime.

And justice demands that the ultimate penalty be an option reserved for those whose crimes are so horrific as to deserve the death penalty.

It is not handed out lightly. And multiple safeguards are built into the court system. First, juries must reach a unanimous verdict that the defendant is, in fact, guilty of murder. If prosecutors decide to seek a death sentence, then the penalty phase begins where jurors weigh the evidence to determine whether the convicted murderer's crime is worthy of the death penalty. If jurors unanimously agree, then a judge must carefully consider the finding. If all of those phases are completed and a judge hands down a death sentence, then the case goes through years of appeals.

In California, less than 2 percent of convicted murderers are sentenced to death. Yet few are ever executed in California. In my view, it is our duty to restore justice by reforming the death penalty appeals process and support Prop 66.

The horrifying crimes of death row inmate Charles Ng defy description. Ng is a serial killer. He kidnapped families. He tortured children in front of their parents. He repeatedly raped women before killing them. Ng delayed his trial for 15 years with appeals before he was sentenced to death nearly 20 years ago. At taxpayer expense, he continues to abuse the appeals process from death row and further delay his punishment.

Like other death row inmates, Ng has truly earned his death sentence. It is hard to imagine a justice system where a serial killer like Ng would be allowed to die peacefully of old age.

The convicted murderers living on death row collectively have taken the lives of 1,000 people, including 43 peace officers and 226 children. Two-hundred ninety-four of these victims were raped and tortured before they were murdered.

The anti-death penalty extremists want taxpayers to foot the bill to feed, clothe, house, guard, and provide healthcare to brutal killers. This is an affront our sense of justice. It also cheapens human life.

Proposition 66 maintains and actually expands protections to ensure an innocent person is not executed by providing an appeals attorney upon a judge handing down a death sentence. Even death penalty opponents like Governor Jerry Brown admit that he has not seen any evidence that innocent people are being executed in California.

Although California is known for many soft-on-crime policies, most Californians support the death penalty. I urge you to stand with the victims of murder. Stand with their family and friends who must endure the profound cruelty of knowing that while their loved one is dead, the killer continues to live.

So please vote no on Prop 62 and yes on Prop 66.

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*Robert Lovingood is vice chairman of the San Bernardino County Board of Supervisors representing the First District.*